



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,368	03/04/2002	Julie Dunn	36968.267828 (BS01432)	5162

7590 11/17/2005
BAMBI FAIVRE WALTERS
P.O. BOX 5743
WILLIAMSBURG, VA 23188

EXAMINER

GENACK, MATTHEW W

ART UNIT	PAPER NUMBER
----------	--------------

2645

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/090,368

Applicant(s)

DUNN ET AL.

Examiner

Matthew W. Genack

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☒ Claim(s) 1-35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1-35 are objected to because of the following informality: the Claims are numbered [c01], [c02], ..., instead of 1., 2., ... Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-2, 13, 15, and 32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "user identification" does not appear in the specification and does not fit within the context of the Claims. Examiner fails to find the support from the specification regarding the claimed "a user identification" and the "other user identification." Further, the phrase "the user identification matches an instruction" is confusing because it is not clear whether the identification is an instruction or whether the instruction is an identification. Examiner interprets these Claims such that all instances of this phrase are replaced with the phrase "user-defined rule."

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

Art Unit: 2645

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 12-15, 20, and 29-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Warburton *et. al.*, U.S. Patent Application Publication 2001/0003706.

Regarding Claims 1 and 20, Warburton *et. al.* discloses a cordless telephone apparatus comprising a base station connected to the PSTN and having means for handling incoming calls based on several criteria, and a handset (Abstract, [0023] Lines 1-8, [0024] Lines 1-10, Figs. 1-2). The presence of a device to interface the base station with the PSTN is inherent. An incoming call to a specific handset within a household may be routed to said handset or diverted from said handset based on the status of said handset ([0008], [0009], [0010], [0014] Lines 6-14, [0036], [0038], [0040]).

Regarding Claims 12-13 and 29-30, Warburton *et. al.* discloses the calling line identity (CLI) feature, whereby the called number receives a signal indicative of the origin of an incoming call, the call processor of the base station performing routing of the incoming call based on its origin ([0034], [0061], [0064]).

Regarding Claims 14-15 and 31-32, Warburton *et. al.* discloses the selective routing of an incoming call to a handset based on the time of day and the location of said handset ([0051] Lines 1-3, [0061], [0062], [0068]).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2645

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 3, 9, 11, 16, 18, 19, 21, 22, 26, 28, 33, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warburton *et. al.* in view of Swan *et. al.*, U.S. Patent No. 5,978,451.

Regarding Claims 2-3, 19, 21-22, Warburton *et. al.* does not expressly disclose the an extension control device that communicates with the base station.

Swan *et. al.* discloses the presence of satellite communicator modules (SCMs), in communication with the PCC (and thus the base station), in the system of the invention (Column 5 Lines 5-10, Fig. 2a). As can be seen from Fig. 2a, each SCM is associated with a particular telephone extension within the residence. The SCMs assist the PCC (and thus the base station) in selectively allowing or preventing the transmission to a handset, located within the residence, of a telephone call received from the telephone network (Column 5 Lines 10-36). Swan *et. al.* discloses a selective ringing service whereby a specific ring pattern indicates that an incoming call is for a specific member of the residence; the PCC sends one of a plurality of signals to the appropriate SCMs, said signal corresponding to the appropriate ring pattern, thereby making the appropriate telephones ring with the appropriate pattern (Column 8 Lines 33-37 and 49-52).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Warburton *et. al.* by including an extension control device, associated with a predetermined telephone extension, that communicates with the base station.

One of ordinary skill in the art would have been motivated to make this modification so as to make the functions and presence of the base station transparent to the user of a handset serviced by said base station.

Regarding Claims 9 and 26, Warburton *et. al.* does not expressly disclose means for direct control of the base station via a DTMF interface.

Swan *et. al.* discloses that the user may control the PCC with a DTMF interface (Column 6 Line 63 to Column 7 Line 7, Column 7 Lines 19-24, Fig. 3a).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Warburton *et. al.* by providing a DTMF interface with the base station.

One of ordinary skill in the art would have been motivated to make this modification so as to provide the user with the convenience of being able to program the base station directly, as opposed to being limited to doing so with one of the handsets.

Regarding Claims 11 and 28, Warburton *et. al.* does not expressly disclose the use of voicemail messaging.

Swan *et. al.* discloses that the PCC may selectively transmit a voicemail message to callers (Column 6 Line 63 to Column 7 Line 7, Column 9 Lines 17-27, Fig. 3a).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Warburton *et. al.* by providing for voicemail messaging from the base station to a calling party.

One of ordinary skill in the art would have been motivated to make this modification so as to provide an additional option to the user for handling an incoming call that he does not wish to be routed to the handset.

Regarding Claims 16 and 33, Warburton *et. al.* does not expressly disclose the use of a code that callers may use to bypass the call screening feature.

Swan *et. al.* discloses that certain callers may bypass call screening by entering a predetermined override password that is part of the configuration data of the PCC (Column 9 Lines 53-63).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Warburton *et. al.* by providing for a predetermined override password that allows a caller to bypass the call screening feature.

One of ordinary skill in the art would have been motivated to make this modification so as to allow a caller to speak with the called party in the event of an emergency.

Regarding Claims 18 and 35, Warburton *et. al.* does not expressly disclose the use of a plurality of ring tones to distinguish the identity of a caller.

Swan *et. al.* discloses that the alert cadence may be used to indicate the identity of a caller (Column 3 Lines 40-43, Column 9 Lines 8-11).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Warburton *et. al.* by providing for a plurality of ring tones which indicate a caller's identity.

One of ordinary skill in the art would have been motivated to make this modification so that the called party may determine the identity of a caller without moving within the residence to the location of the handset or base station.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Warburton *et. al.* in view of Salazar *et. al.*, U.S. Patent No. 5,802,467.

Warburton *et. al.* does not expressly disclose the presence of power sources inside of the base unit and the extension control device.

Salazar *et. al.* discloses a wireless and wired communications system comprising a handset and base station (Abstract, Column 1 Lines 8-13). Base station power may be provided with a backup battery pack located inside of the base station (Column 25 Lines 33-38, Fig. 4).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Warburton *et. al.* by providing for batteries inside of the PCC and the SCMs.

One of ordinary skill in the art would have been motivated to make this modification because of the convenience offered to the user when he is able to use the invention when AC power is unavailable.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Warburton *et. al.*, in view of Swan *et. al.*, further in view of Salazar *et. al.*

Swan *et. al.* does not expressly disclose the presence of a power source within the SCM.

Salazar *et. al.* discloses a wireless and wired communications system comprising a handset and base station (Abstract, Column 1 Lines 8-13). Base station power may be provided with a backup battery pack located inside of the base station (Column 25 Lines 33-38, Fig. 4).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Warburton *et. al.* as modified by Swan *et. al.* by providing for batteries inside of the PCC as well as the SCMs.

One of ordinary skill in the art would have been motivated to make this modification because of the convenience offered to the user when he is able to use the invention when AC power is unavailable.

10. Claims 6-8 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warburton *et. al.* in view of Swan *et. al.*, further in view of Ikonen *et. al.*, U.S. Patent No. 6,473,078.

Regarding Claims 6 and 23, Swan *et. al.* discloses the presence of multiple SCMs, it is inherent that the PCC, in the course of sending ringing signals to some subset of the set of all SCMs in a residence, has a means of identifying individual SCMs (Fig. 2a).

Swan *et. al.* does not expressly disclose the detection of the presence of the SCMs by PCC.

Ikonen *et. al.* discloses a method and device for power management of an integrated display unit and at least one peripheral device (Abstract, Column 1 Lines 9-11). Ikonen *et. al.* discloses the means for detecting signals associated with a

telephone peripheral device, and thereby to detect if said peripheral device is connected to the integrated display unit (Column 5 Lines 2-10, Fig. 1).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Warburton *et. al.* as modified by Swan *et. al.* by providing for the detection of the presence of the SCMs by the PCC.

One of ordinary skill in the art would have been motivated to make this modification because if a SCM, for whatever reason, is not connected, then it would be pointless to send a ringing signal to said SCM in the event that the telephone normally connected to that SCM is the only telephone in the residence that is to ring for a certain incoming telephone call.

Regarding Claims 7-8 and 24-25, the means for the identification and naming of specific SCMs by the PCC and the storage of these identifying names in the PCC is inherent to the invention of Swan *et. al.*, since ringing signals may be sent from the PCC to only a subset of the set of all SCMs within a residence.

11. Claims 10 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warburton *et. al.* in view of Swan *et. al.*, further in view of Kynast *et. al.*, U.S. Patent No. 6,823,354.

Swan *et. al.* does not expressly disclose the presence of a voice interface for allowing the user to control the PCC and thereby modify how it functions.

Kynast *et. al.* discloses a terminal and method for using services offered by a master station in the context of telephony, including cordless telephony (Abstract,

Column 1 Lines 8-9, Column 4 Lines 21-26, Fig. 1). The terminal may be controlled with voice input (Column 4 Lines 32-33, Fig. 1).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Warburton *et. al.* as modified by Swan *et. al.* by providing for a voice interface that allows the user to control the PCC and thereby modify how it functions.

One of ordinary skill in the art would have been motivated to make this modification because of the convenience and popularity of voice interfaces.

12. Claims 17 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warburton *et. al.* in view of Swan *et. al.*, further in view of Borland, U.S. Patent No. 6,122,347.

Neither Warburton *et. al.* nor Swan *et. al.* expressly disclose the presence of the means by which a caller's voice is analyzed and a decision to allow or block the call is made based upon the results of the voice analysis.

Borland *et. al.* discloses a system and method by which the voice of a caller's voice is analyzed and compared to information stored in a database, after the user speaks upon being prompted to do so at the beginning of a telephone call (Abstract, Column 2 Lines 60-63, Column 9 Lines 31-37, Column 9 Line 64 to Column 10 Line 1, Fig. 5).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Warburton *et. al.* as modified by Swan

et. al. by providing means for analyzing and recognizing caller's voices and making a decision to allow or block the call is made based upon the results of the voice analysis.

One of ordinary skill in the art would have been motivated to make this modification because of the possibility of an unwanted caller making a telephone call from a number other than the normal telephone number used by that caller, or because of the possibility of a residence only allowing telephone calls from certain individuals who normally call from a limited set of telephone numbers, but who may, in the event of an emergency, call from other telephone numbers.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew W. Genack whose telephone number is 571-272-7541. The examiner can normally be reached on FLEX.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Matthew Genack

Examiner

Art Unit 2645

Matthew Genack
14 November 2005

Fan Tsang
FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600